

FORM 12.**JOINT PETITION, AGREEMENT, AND JUDGMENT AND
DECREE FOR MARRIAGE DISSOLUTION WITHOUT
CHILDREN**

(Gen. R. Prac. 302.01(b))

State of Minnesota

County of: _____

District Court

Judicial District: _____

Court File Number: _____

Case Type: Dissolution**In Re the Marriage of:**_____,
Name of Husband (First, Middle, Last)

And

_____,
Name of Wife (First, Middle, Last)**1. Information about Husband:**Full Name: _____
First Middle LastAddress: _____
Street Address Apt. No.

City County State Zip CodeDate of Birth: _____
Month Day YearHusband's former or other names: _____
First Middle Last**2. Information about Wife:**Full Name: _____
First Middle LastAddress: _____
Street Address Apt. No.

City County State Zip CodeDate of Birth: _____
Month Day Year

Wife's former or other names: _____
First Middle Last

First Middle Last

3. Husband's and Wife's social security numbers have been filed with the Court Administrator using Confidential Information Form (Form 11).

4. **Children :** "Child" means a living person under age 18, or under age 20 and still in high school, or a person over 18 who by reason of a physical or mental condition is incapable of self support.

a. Are there any children born to or adopted by husband and wife together? ☐ YES ☐ NO.

(If you answered YES, you are using the wrong form. Use Marriage Dissolution with Children.)

b. Has wife given birth since the date of marriage to a child who is not a child of the Husband.

☐ YES ☐ NO . (If YES, you are using the wrong form. Use Marriage Dissolution with Children.)

c. Is wife pregnant? ☐ YES ☐ NO. (If YES, you are using the wrong form. Use Marriage Dissolution with Children.)

5. **Our Marriage**

Husband and wife were married on : _____ at: _____
date city

county state country

6. **180 Day Requirement**

Husband has been living in Minnesota for the past six (6) months: ☐ YES ☐ NO.

Wife has been living in Minnesota for the past six (6) months: ☐ YES ☐ NO.

7. **Armed Forces**

Husband is a member of the armed forces: ☐ YES ☐ NO.

Wife is a member of the armed forces: ☐ YES ☐ NO.

If YES, has the member of the armed forces been stationed in Minnesota for the past six (6) months? ☐ YES ☐ NO.

8. Other Proceedings

A separate proceeding for dissolution, legal separation or annulment has already been started by husband or wife in Minnesota or another state: ☐ YES ☐ NO. If YES, the type of proceeding is: ☐ marriage dissolution ☐ legal separation ☐ annulment; the proceeding is in _____ County in the State of _____ and the Court file number is _____. (If a separate proceeding has been started, you must complete the other proceeding or have it dismissed before filing this Joint Petition.)

9. Marriage Cannot be Saved

There has been an irretrievable breakdown of our marriage relationship.

10. Protection or Harassment Order

An *Order for Protection* or a *Harassment/Restraining Order* is in effect regarding Husband and Wife: ☐ YES ☐ NO. If YES, the *Order* protects: ☐ Husband ☐ Wife.

The *Order* was filed in _____ County on the date: _____, Month Day Year and the Court file number is _____. **A copy of the Order is attached** to this Joint Petition.

11. Name Change

- ☐ a. Neither person wants to change his/her name.
- ☐ b. ☐ Wife ☐ Husband wants to change his/her name to: *(full name, not initials)*

first *middle* *last*

This name change request is made with no intent to defraud or mislead anyone: ☐ True ☐ False.

The person requesting the name change has been convicted of a felony : ☐ YES ☐ NO.

If YES:

- ☐ i. Notice of this request for name change has been given to the proper authority as required by Minn.Stat. §259.13. (IMPORTANT NOTICE: If you are a convicted felon and you request a name change without following the requirements of Minn.Stat §259.13, using the new last name after your divorce is a gross misdemeanor.)
- ☐ ii. An *Affidavit of Service of the Notice* marked Exhibit “A” has been attached to this Joint Petition.

12. Public Assistance: (Note: If either person is receiving public assistance from the State of Minnesota or applies for it after this proceeding is started, notice of this marriage dissolution action must be given to the county's collections and support office. See Minnesota Statutes Section 518.551 Subd. 5)

a. Husband receives public assistance from the State of Minnesota: ☐ Yes ☐ No.

If YES, the assistance is from _____ County. (check all that apply)

☐ MFIP ☐ Medical Assistance ☐ IV-E Foster Care ☐ Tribal TANF
☐ Child Care Assistance ☐ MinnesotaCare

b. Wife receives public assistance from the State of Minnesota: ☐ Yes ☐ No.

If YES, the assistance is from _____ County. (check all that apply)

☐ MFIP ☐ Medical Assistance ☐ IV-E Foster Care ☐ Tribal TANF
☐ Child Care Assistance ☐ MinnesotaCare

13. Husband's Income

State Husband's gross income **per month**.

<i>Source of Income</i>	<i>Amount per month <u>before</u> taxes</i>
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<input type="checkbox"/> Job-----	\$ _____
-----------------------------------	----------

<input type="checkbox"/> Unemployment -----	\$ _____
---	----------

<input type="checkbox"/> Social Security-----	\$ _____
---	----------

<input type="checkbox"/> MFIP-----	\$ _____
------------------------------------	----------

<input type="checkbox"/> General Assistance-----	\$ _____
--	----------

<input type="checkbox"/> Investments or Rental Income-----	\$ _____
--	----------

<input type="checkbox"/> Pension-----	\$ _____
---------------------------------------	----------

<input type="checkbox"/> Other _____	\$ _____
--------------------------------------	----------

identify source

Gross Income Total \$ _____ per month

14. Wife's Income

State Wife's gross income **per month**.

<i>Source of Income</i>	<i>Amount per month <u>before</u> taxes</i>
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<input type="checkbox"/> Job-----	\$ _____
-----------------------------------	----------

<input type="checkbox"/> Unemployment -----	\$ _____
---	----------

<input type="checkbox"/> Social Security-----	\$ _____
---	----------

<input type="checkbox"/> MFIP-----	\$ _____
------------------------------------	----------

<input type="checkbox"/> General Assistance-----	\$ _____
--	----------

☐ Investments or Rental Income-----\$ _____
☐ Pension-----\$ _____
☐ Other _____ \$ _____
identify source

Gross Income Total \$ _____ per month

15. Medical Insurance (Medical Insurance does not include Minnesota Care or Medical Assistance.)

- a. Wife has ☐ medical ☐ dental insurance **or** ☐ no insurance.
b. Husband has ☐ medical ☐ dental insurance **or** ☐ no insurance.

AGREEMENT OF HUSBAND AND WIFE

1. We have made this agreement to settle once and for all what we owe to each other and what we can expect to receive from each other. Each of us states that nothing has been held back, and that we have honestly included everything we could think of in listing our assets (everything we own and that is owed to us) and our debts (everything we owe) and that we believe the other has been open and honest in writing this agreement.
2. We will sign and exchange any papers that might be needed to complete this agreement before or after the divorce.

3. Real Estate

Real estate includes a homestead, condominium, apartment building, vacant land, contract for deed interest, remainder interest, and more.

- ☐ a. Husband owns no real estate by himself or with anyone else.
☐ b. Wife owns no real estate by herself or with anyone else.

☐ c. Husband and/or Wife own real estate as described on the Real Estate Attachment(s).

(Use a separate Real Estate Attachment sheet for each parcel of real estate.) All Real Estate Attachments are part of this Joint Petition, Agreement, Judgment and Decree and we agree that the real estate shall be awarded as stated on the Real Estate Attachment(s).

Check one:

- ☐ There is one Real Estate Attachment; OR
☐ There are _____ Real Estate Attachments.

4. Non-Marital Property

Non-marital Property means: (1) anything that you or your spouse owned before the marriage; (2) a gift, bequest, devise, or inheritance made by a third party to one but not to the other spouse; (3) anything that you or your spouse

got in trade or in exchange for your non-marital property; (4) anything that is an increase in the value of non-marital property (STOP: Property can be part non-marital and part marital. Defining and valuing non-marital property can be complicated. If you have any concerns or questions, you should stop here and talk to an attorney.) (5) anything you or your spouse received after the valuation date set by the Court; or (6) anything defined as non-marital property by a valid antenuptial contract (STOP: If you have an antenuptial contract, you should stop here and talk to an attorney.)

a. Husband owns non-marital property he wants awarded to him by the Court: ☐ YES ☐ NO.

If YES, Husband and Wife agree that that the following property is Husband's non-marital property and shall be awarded to Husband: _____

_____.

The total value of Husband's non-marital property is \$ _____.

b. Wife owns non-marital property she wants awarded to her by the Court: ☐ YES ☐ NO.

If YES, Husband and Wife agree that the following property is Wife's non-marital property and shall be awarded to Wife: _____

_____.

The total value of Wife's non-marital property is \$ _____.

5. Division of Marital Property

- Marital Property means almost anything that you or your spouse own that you or your spouse received during the marriage, even during the times that you and your spouse were separated. This includes real estate, boats, cabins, household goods, furniture, jewelry, and other things.

See attached Asset Sheet listing all assets. The Asset Sheet is part of this Joint Petition.

The Asset Sheet must be attached to the Joint Petition, even if husband and wife have no assets.

6. Division of Marital Debts

Marital Debts means debts incurred by you or your spouse during the marriage, even during the times that you and your spouse were separated. Do not include monthly expenses you pay in full each month, such as telephone and utilities.

See attached Debt Sheet listing all debts. The Debt Sheet is part of this Joint Petition.

The Debt Sheet must be attached to the Joint Petition, even if wife and husband have no debts.

7. Spousal Maintenance (alimony)

No arrearages in maintenance due under any previous Order of the Court shall merge with this Judgment and Decree. This means that any past due amounts of spousal maintenance are still owed, no matter which option is checked below.

Check One

___a. Each of us forever gives up any right to spousal maintenance (alimony) that we may have and the Court is divested of jurisdiction over spousal maintenance. This means we may never ask the court to order spousal maintenance, even if our financial situations change in the future or the law on spousal maintenance changes in the future.

___b. Spousal Maintenance is reserved. Neither husband nor wife shall pay or receive spousal maintenance at this time. Either person may ask the court to order spousal maintenance in the future through the motion process, if there are facts and law that support the request.

___c. ☐ Husband ☐ Wife shall pay temporary spousal maintenance to the other party in the amount of \$_____per month by the first day of the month, starting the first month after entry of the judgment for divorce and ending on _____(insert a date). Payment shall be through income withholding.

___d. ☐ Husband ☐ Wife shall pay permanent spousal maintenance to the other party in the amount of \$_____per month by the first day of the month, starting the first month after entry of the judgment for divorce. Payment shall be through income withholding.

Permanent spousal maintenance is needed because: _____

Income Withholding:

☐ Husband's ☐ Wife's employer, trustee, or other payor of funds shall withhold this monthly amount and mail it to Minnesota Child Support Payment Center. Until income withholding starts, the person ordered to pay maintenance shall send the payments to: Support Payment Center, P.O. Box 64326, St. Paul, MN 55164-0326. Checks must be payable to Minnesota Child Support Payment Center.

8. Insurance Coverage

Husband and wife shall each provide for his or her own health and dental insurance.

Either party may be eligible to extend for a limited time, at his/her own expense, the dependent coverage available under the other party's insurance plan, pursuant to federal and state statutes.

9. Other:

We also agree to the following:

BASED UPON THE ABOVE INFORMATION, Husband and Wife request that the Court issue a final judgment and decree terminating our marriage and ordering the terms of this Agreement.

READ and SIGN the **Verification and Acknowledgments**.

STATE OF MINNESOTA)
) SS
COUNTY OF _____)
(County where documents signed)

Verification and Acknowledgments

- a. I have read this document. To the best of my knowledge, information and belief the information contained in this document is well grounded in fact and is warranted by existing law.
- b. I have not been determined by any Court in Minnesota or in any other State to be a frivolous litigant and I am not the subject of an *Order* precluding me from serving or filing this document.
- c. I am not serving or filing this document for any improper purpose, such as to harass the other party or to cause delay or needless increase in the cost of litigation or to commit a fraud on the Court.
- d. I understand that if I am not telling the truth or if I am misleading the Court or if I am serving or filing this document for an improper purpose, the Court can order me to pay money to the other party, including the reasonable expenses incurred by the other party because of the cost of serving or filing this document, Court costs, and reasonable attorney's fees.
- e. **WAIVER (Rule 306.01(c))**: I know I have the right to be represented by a lawyer of my choice. I hereby expressly waive that right and I freely and voluntarily sign the foregoing stipulation.

DATE: _____ / _____ / _____
Month Day Year

Signature of Husband
(Sign only in presence of notary public)
()

Daytime Telephone Number of Husband

Notary Seal

Signed and sworn to before me on _____ (date)
by _____

Notary Public

HUSBAND'S ATTORNEY

Husband is ☐ acting as his own attorney OR
☐ is represented by the following attorney:

(Name)

(Street Address)

(City ,State, Zip Code)

(Telephone)

(Atty Reg. #)

DATE: _____ / _____ / _____
Month Day Year

Signature of Wife
(Sign only in presence of notary public)
()

Daytime Telephone Number of Wife

Notary Seal

Signed and sworn to before me on _____ (date)
by _____

Notary Public

WIFE'S ATTORNEY

Wife is ☐ acting as her own attorney OR
☐ is represented by the following attorney:

(Name)

(Street Address)

_____ (City ,State, Zip Code)

_____ (Telephone)

_____ (Atty Reg. #)

COURT ORDER

This case came before the Court without a hearing on the parties' Joint Petition for Dissolution of Marriage. The Court, having reviewed the file, makes the following Order:

1. The parties' Joint Petition and Attachments contains the necessary facts and includes an agreement on all issues before the Court. The real estate, if any, and the personal property of the parties is hereby awarded according to the division set out in their foregoing Joint Petition, which is made part of this final judgment. Debts and liabilities of the parties must be paid as provided in their foregoing Joint Petition. The parties are ordered to obey all of its provisions.
2. The marriage between the parties is dissolved and the parties are single.
3. ☐ Husband's ☐ Wife's name is changed to:

first

middle

last

4. Each party shall execute any documents necessary to transfer real estate and personal property as awarded herein without further order of the Court. Should either party fail to execute the necessary documents, a certified copy of the Judgment and Decree shall operate to transfer title as awarded herein.
5. NOTICE: IF THE AGREEMENT OF THE PARTIES INCLUDES AN AWARD OF SPOUSAL MAINTENANCE, Form 3, Appendix A, of the General Rules of Practice for the District Courts is incorporated and made a part of this final judgment. Appendix A contains, among other things, provisions regarding Payments to Public Agency pursuant to Minnesota Statutes § 518.551, subdivision 1; Rules of Maintenance; Wage and Income Deduction of Maintenance pursuant to Minnesota Statutes § 518.6111; Change of Address or Residence; Cost of Living Increase of Maintenance pursuant to Minnesota Statutes § 518.641; and Judgments for Unpaid Maintenance pursuant to Minnesota Statutes § 548.091.

General Rule of Practice 125 notwithstanding, let Judgment be entered immediately.

Dated: _____

Judge of District Court

The foregoing facts were found by me after due hearing and the Order thereon is recommended.

Dated: _____

Referee of District Court

Judgment

I certify the above constitutes the Judgment of the Court.

Court Administrator

Attachment "A"
DIVISION OF ASSETS AND VALUE

Husband's Name: _____

Wife's Name: _____

1. We agree on how to divide our assets (everything we own and that is owed to us).
2. Each person shall receive as their own all assets in their column.

Definitions: Current Fair Market Value is an estimate of the amount of money you could get if you sold the item to a stranger, such as through a newspaper advertisement. It does **not** mean what you paid for it originally, and it does **not** mean what it would cost you to replace it if you lost it. If you are still paying for an item, list it in husband's or wife's column at the *present value*.

Present value means the current fair market value minus the amount you still owe.

Who Gets the Item and What is the Value

DESCRIPTION OF ASSETS <input type="checkbox"/> If you do not have the type of property described, enter a zero in the columns for Husband and Wife. <input type="checkbox"/> To avoid confusion at a later date, describe each item as clearly as possible. For example, include the last 4 digits of account numbers (xxx2873), names of banks, & whose name is on the title or account, if applicable. <input type="checkbox"/> List all property owned separately or together, no matter when it was acquired, except do not list the non-marital property described at #4 of the Joint Petition.	*Enter the current fair market value or present value of the item in the column of the person getting the item.	
	*HUSBAND	*WIFE
Cash on hand:	\$	\$
Cash in banks/credit unions: (Name of bank, last 4 digits of account number, whose name is on the account)		
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
Stocks/Bonds:		
	\$	\$

	\$	\$
	\$	\$
Notes (money owed to you in writing):		
	\$	\$
	\$	\$
	Husband	Wife
Money owed to you (not evidenced by a note):		
	\$	\$
	\$	\$
	\$	\$
Business interests: (Name of business, who owns it)		
	\$	\$
	\$	\$
Automobiles: (Year, Make, Model) (Reminder: Use present value if you are still paying for the items.)		
	\$	\$
	\$	\$
	\$	\$
	\$	\$
Boats:		
	\$	\$
	\$	\$
Other vehicles: (Snowmobiles, 4-Wheelers, etc.)		
	\$	\$
	\$	\$
	\$	\$
Retirement plans		
<input type="checkbox"/> Profit Sharing or Pension: (Enter "present value". Contact plan administrator for the present value. Include name of employer/group providing the plan, and type of plan.)		
	\$	\$
	\$	\$
<input type="checkbox"/> 401(k), IRAs or other: (Enter current account balance, name of bank where funds are held, whose name is on the account.)		
	\$	\$
	\$	\$
	\$	\$
Furniture & furnishings:		
<input type="checkbox"/> We have already divided the furniture and furnishings in a fair manner. (Enter in each spouses' column the total value of their share of the furniture and furnishings already divided);	\$	\$
<input type="checkbox"/> We agree to divide the furniture and furnishings as follows: (List items not included above.)		
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$

	\$	\$
	\$	\$
	\$	\$
	Husband	Wife
Collectibles & Jewelry:		
	\$	\$
	\$	\$
	\$	\$
	\$	\$
Life insurance: (cash surrender value) (Name of insurance company and last 4 digits of policy number.)		
	\$	\$
	\$	\$
Sporting & entertainment & electronic equipment: (TV, stereo, guns, etc.)		
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
Real Estate:		
Do Not List Here. Use Real Estate Attachment.		
Other assets:		
	\$	\$
	\$	\$
	\$	\$
	\$	\$
Total Value of Property To Each Person: (Excluding Real Estate, and any Non-Marital Property listed at Paragraph #4 of the Joint Petition.)	Husband \$	Wife \$

Attachment "B"
DIVISION OF LIABILITIES/DEBTS

Husband's Name: _____

Wife's Name: _____

Date we filled out this form: _____

1. We agree on how to divide our marital debts (debts we have incurred since our marriage date, either separately or together).
2. Each person shall pay as their own the debts listed in their column, and shall not ask the other person to pay these debts/bills.
3. We have listed all marital debts we know of on this Attachment. Any debts incurred by one of us alone and not listed on this Attachment shall be paid by the person whose name is on the debt/bill.

DESCRIPTION OF DEBT(S) <input type="checkbox"/> If you do not have the type of debt described, enter a zero in the columns for Husband and Wife. <input type="checkbox"/> To avoid confusion at a later date, describe each debt as clearly as possible. For example, state who the debt is owed to, whether husband's or wife's name is on the debt, and the last 4 digits of account numbers (xxx3094), if applicable. <input type="checkbox"/> List all debts in husband's name alone and in wife's name alone and in both names together. Include debts incurred during the marriage and after separation. Do not include bills you pay in full each month.	*Write the current amount owed in the column of the person who will pay it.	
	*HUSBAND	*WIFE
Mortgages and loans on Real Estate: Do not list here. Use the Real Estate Attachment.		
Charge/credit card accounts:		
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
Auto loans:		
	\$	\$
	\$	\$
	\$	\$
Bank/credit union loans:		
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	Husband	Wife
	\$	\$
	\$	\$
Student loans:		
	\$	\$
	\$	\$
	\$	\$
	\$	\$
Money you owe: (not evidenced by a note)		
	\$	\$
	\$	\$
	\$	\$
	\$	\$
Judgments:		

	\$	\$
	\$	\$
	\$	\$
Other debts:		
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
Total Debts to be Paid by Each Person: (Excluding Real Estate mortgages and loans.)	Husband \$	Wife \$